

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 23-001244-CJC (KESx)

Date: July 28, 2023

Title: LAUREN WINER V. ASHLEY FURNITURE INDUSTRIES, LLC ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED FOR LACK OF SUBJECT MATTER
JURISDICTION**

On May 2, 2023, Plaintiff Lauren Winer filed this suit in the Superior Court of California, County of Orange, against Defendant Ashley Furniture Industries, LLC, asserting claims stemming from injuries Plaintiff suffered while testing an electric recliner in a furniture store. (Dkt. 1-2.) On July 12, Defendant removed the action from the Superior Court to this Court, asserting diversity jurisdiction. (Dkt. 1.) However, Plaintiff's complaint does not appear to assert an amount in controversy, and on the amount in controversy, all Defendant states in the notice of removal are the categories of damages that Plaintiff seeks ("general damages; medical, hospital and related expenses; and costs of suit") and that "[s]pecial damages should be counted toward the \$75,000 jurisdictional threshold." (*Id.* ¶¶ 15–16.) Defendant does not plausibly allege that the amount in controversy exceeds \$75,000 and is **ORDERED** to show cause why this action should not be dismissed for lack of subject matter jurisdiction by **August 2, 2023**.

jso

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Initials of Deputy Clerk RRP